

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE, et al.,

Federal Defendants.

No. 2:18-cv-1115-RSL

**FEDERAL DEFENDANTS'
NOTICE OF FILING REVISED
SUPPLEMENT TO
ADMINISTRATIVE RECORD**

NOTICE OF FILING

On April 16, 2019, pursuant to this Court's March 19, 2019 Order (Dkt. No. 175), the Federal Defendants (comprising the Department of State, Secretary of State, Acting Deputy Assistant Secretary of Defense Trade Controls, and Director of Policy, Office of Defense Trade Controls Policy) supplemented the administrative record in this matter. *See* ECF No. 179. On April 23, 2019, it came to the Federal Defendants' attention that the supplement contained a limited amount of privileged information that the Federal Defendants had intended to exclude and log, including information protected by the attorney client privilege and the attorney work product doctrine. *See* Dkt. No. 181. The Federal Defendants promptly notified, *inter alia*, counsel for the other parties and amici in this action, and requested that they identify and destroy any copies of the privileged material obtained from the supplement. *See id.* On April 26, 2019, the Federal Defendants informed the Court, filing an Unopposed Motion to Seal the Supplement. *See id.*

The Federal Defendants have now completed a re-review of the material in the supplement, and hereby provide notice of the filing of the revised supplement to the administrative record. As explained in the attached declaration, the revised supplement withholds materials that were inadvertently produced in the original supplement and includes several documents previously withheld in error (in full or in part). *See* Ex. 1 at ¶¶ 5-10 (Declaration of Shana A. Rogers). The revised supplement also contains an updated privilege log, reflecting these changes, providing additional descriptive information in the privilege log for certain entries, and also correcting an inadvertent errors in the privilege log in which certain documents appeared in the privilege log out of sequence and/or without an accompanying statement of the basis for withholding. *See id.* at ¶¶ 11-12.

Dated: May 6, 2019

Respectfully submitted,

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/s/ Eric J. Soskin

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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2019, I electronically filed the foregoing notice using the Court's CM/ECF system, causing a notice of filing to be served upon all counsel of record.

Dated: May 6, 2019

/s/ Eric J. Soskin
Eric J. Soskin